

## MINUTES

SALINA CITY PLANNING COMMISSION  
CITY COMMISSION ROOM  
Tuesday, December 19, 2006

### MEMBERS

PRESENT: Bonilla-Baker, Funk, Mikesell, Simpson, Soderberg and Yarnevich

### MEMBERS

ABSENT: Ritter, Schneider and Weisel

### STAFF

PRESENT: Andrew, Asche, Burger and Herrs

Item #1. Approval of the minutes of the regular meeting held on December 5, 2006.

The minutes of the December 5, 2006 meeting were approved as presented.

Item #2. Application #Z06-17, filed by Dave Rose dba Mid West eServices, Inc., requesting a change in zoning district classification from R-2 (Multi-Family Residential) district to PC-1 (Planned Restricted Business) district to allow the former Hawthorne Elementary school building to be converted to office use. The subject property is legally described as Lot 7-30, Block 12 of the Pacific Addition to the City of Salina, Saline County, Kansas and addressed as 715 North 9<sup>th</sup> Street.

Mr. Andrew presented the staff report, including visual presentation of the site plan details, which is contained in the case file.

Ms. Soderberg asked in light of our pre-Commission meeting topic, is there any, with the rezoning of this, is there any reason why that top floor couldn't be converted to apartments with the offices on the bottom floor?

Mr. Andrew stated I think we could certainly find a way to get there if the applicant found that to be feasible. One of the obstacles, and the applicant

and Mr. Kennedy can clarify this, I'm not sure, I don't believe that this building has an elevator, so there would be some accessibility issues that would need to be addressed to have public offices on the second and third floor. So the plan right now is to utilize the first floor only, but I think that would certainly be a possibility in light of our discussion during the study session, that we would want to be open to.

Mr. Simpson asked other questions or comments at this point? Would the applicant or representative care to address the Commission? Please state your name and address.

Dave Rose, 2306 Huntington Rd., Salina, Kansas, stated I am the President of Mid West eServices, a small real estate company that got its start here in Salina and continues to grow and develop. We've identified that we need more space. We're located currently at 913 York here in Salina and we've kind of outgrown that space now, and so we identified that this may be a nice location for us. Our company got its start in real estate by selling school buildings. We thought it was only fitting that maybe we end up in a school building and see that this property has tremendous potential. One of the comments was about housing, that is certainly a consideration for us that maybe at some point the older historic portion of this building might be a wonderful place for loft apartments on possibly the upper and lower floor, not on the lowest level, but that's something we certainly want to keep in

mind. At this point our development plan is strictly for the newer addition to the building. You've seen the three phases we intend to go through. Sometime in the spring we would occupy the yellow areas on the chart for our current business, and then at some point we would be able to offer the additional five classrooms on the south portion of that building for lease for other similar-type businesses. We are hoping that possibly real estate related businesses could occupy that building with us. We've had some inquiries from several different companies so far that may be interested in leasing some space from us. We did submit an initial parking plan and we've also reviewed with the department the proposed plan, and would certainly have no objections to the revised plan that you folks came up with, I think that's a great approach if that's acceptable. The one question I had was if we went to the PC-1 zoning would we still be allowed to do residential in the older portion of the building? Just wanted to keep our options open for that if possible.

Mr. Andrew stated I think what we do to address that if you think that's appropriate, we had recommended in Condition Number 1 that uses be limited to an office complex. That could be modified to say an office complex and multi-family housing and make that part of the motion, and that would certainly clarify that it would be approved as an alternate or combination use in this building.

Mr. Rose stated one other question I had in reviewing the material that was submitted to us was the landscape requirement. I think there was a requirement for a certain number of square footage of landscaping for each linear foot of street frontage, and my question would be is the street frontage to be measured on Ninth Street or Ninth and Tenth Street?

Mr. Andrew stated well the entire school building site is grandfathered in as far as the landscaping requirement. What that refers to is if you construct new parking areas or expand parking areas there is a landscape requirement, but it applies strictly to the area between the parking lot and the street. So the only, the best way to focus on this, it would be focused on this area along 10<sup>th</sup> Street and if this were built, these areas here, but the rest of the school site is grandfathered in from that. We're just looking at any physical changes or modifications to the property that would come in to play. You certainly get, if there's existing trees or anything, you get credit for all of that. So the only thing we would ever focus on would be newly constructed parking areas, not the school site itself.

Mr. Rose stated okay that's good to know. Other than that I have no other comments or questions. Any questions of me?

Mr. Simpson asked any questions of Mr. Rose?

Mr. Funk asked the parking proposed, is that enough, so that when the entire building is developed do you have enough parking, or is that only for what's proposed at this point?

Mr. Andrew stated well the way we looked at it, the expanded parking, this particular plan that you see there on the west, that would take care of his first phases on the first floor. If we're into adding office tenants in the other space, then we'll look at the alternate plan there for providing additional parking off of Ninth Street. By our calculations there's a little over an acre of vacant ground north of the school building there. This is conceptual, if depending on the mix, if we get housing or if we get office, we'll look at the total square footage. The important thing is the area is available. As to how many spaces we'll ultimately end up with in that north lot, I don't think we can say at this time, we'll have to see how his future development phases work out. Unlike Bartlett School which was very constrained, this property has the ability to provide expanded parking as needed.

Ms. Yarnevich stated I had a question Dean. In making a motion to change the land use designation of the property, it says to commercial office, does that mean then that we should include multi-family housing then in that same motion?

Mr. Andrew stated well for the future, as we understand it, the predominant use will be commercial office, but the C-1 district does allow multi-family housing as a conditional use and you can include that as an approved use as part of any zoning action. So as far as the comprehensive plan goes, I think you would still look at this as being a commercial office land use instead of a public use, but for the zoning action we suggested that under Condition 1 there that you could include multi-family housing with the office, and that would be allowed under the C-1 designation.

Ms. Yarnevich stated okay thank you.

Mr. Simpson asked any further questions of Mr. Rose? There appear to be none. Thank you sir. Anyone else care to address this application?

Ken Kennedy, Director of Operations for USD #305, stated I just wanted to share with the Commission our support of this application and of Mr. Rose's efforts to put this facility back into use in our community, and certainly I want to emphasize what's happened with Bartlett, Franklin, Lowell, and Roosevelt-Lincoln with the cooperative effort between developers, the City of Salina, and our school district in putting those facilities back into wonderful use in the community. And I see that happening with this facility as well and we're pleased that there is an opportunity to do that, and we hope you'll support the petition to change it to C-1 zoning.

Mr. Simpson stated alright thank you. Any questions of Mr. Kennedy? Thank you sir. Anyone else care to address the application? There appear to be no other persons wishing to speak. We'll bring it back to the Commission for discussion and action. If you're agreeable I would say the first is a motion to change the land use designation.

MOTION: Ms. Yarnevich stated I would like to make a motion that we change the future land use designation for this property from public, quasi-public to commercial office.

SECOND: Mr. Mikesell.

Mr. Simpson stated it's been moved and seconded. Any further questions or comments? Those in favor say aye. Opposed?

VOTE: Motion carried 6-0.

Mr. Simpson stated now to address the application.

MOTION: Ms. Yarnevich stated I move we approve Application #Z06-17 with the three conditions listed in the staff report with Condition Number 1 being changed to include multi-family housing as a permitted use.

SECOND: Mr. Mikesell.

Mr. Simpson stated it's been moved and seconded. Any questions or discussion? There appear to be none. Those in favor say aye. Opposed?

VOTE: Motion carried 6-0.

Item #3. Other Matters.

Mr. Andrew stated for other matters, at the previous, I guess the December 11<sup>th</sup> City Commission meeting, there were a couple things that came up related to the North Ohio Overlay, some requests for clarification on a couple sections of language. There was also a question about, which we were so focused on the area north of the overpass that we did not focus so much on the area to the south, the question was that we had proposed a 50 foot building setback and the intent was that be from a public street, focusing on Ohio Street as the public street. However, we've also got some streets down here with existing development and a 50 foot setback might not be appropriate there. So we're going to go back and clean up that language to make clear that the 50 foot setback applies to Ohio Street, but the standard setbacks would apply to the side streets or other public streets. The other question that came to mind was looking at that area to the south, we had a



lot of discussions about an eighth of a mile, a quarter mile, I was going to run by you your thoughts on, and we can't show it here although we've got a map where we looked at it, but back in the 1970's there was a Northeast Industrial Park urban renewal area, and that actually extends on to part of the North Ohio corridor. It only goes back about 200 feet, or the depth of the frontage lots on Ohio, and we got to thinking that instead of making the overlay district more complicated to address, the question that came up was well what if somebody has a residential lot on VanHorne or Prospect or Woodland and they're doing something on that, is this overlay going to apply to that? By the map and the way it's drafted it would. So the two choices would be to go in and try to address residential lots or those that are non-business lots. The other choice would be to look at the area south of the railroad tracks down to North Street and say for that section, does the corridor need to be that wide, would it suffice if on this section we just went back about the depth of all the lots that front of Ohio, as opposed to coming back this far in to those respective neighborhoods? I have to admit that when we were looking at the different distances, almost all of our focus was on north of the overpass. We think it makes sense to have it extend down to the south entrance of the overpass but we asked ourselves, because most of those uses are established, isn't the area that we're really most concerned about just the lots that have frontage on Ohio Street? So before I looked at that as an alternative, the City Commission is considering a second reading of the ordinance in January, but before working on that, one option would be to

write in some additional provisions that deal with the existing lots and the residential lots. The other option would be to narrow that boundary back to just the Ohio Street frontage, essentially from the railroad tracks south to North Street. I wondered what your thoughts were on that because it's not really our intent to regulate somebody's house or contractor's business on Prospect, but we think certainly the frontage on Ohio Street itself is still important all the way down to North Street .

Mr. Simpson stated yes I would think that makes sense to have it changed just so that the frontage south of the overpass is covered.

Mr. Andrew stated there's not much undeveloped or developable land there so we would tweak the overlay description, but before I suggested that as one alternative to avoid impacting those homeowners or small contractors that are tucked back there, and the lots are quite small, we're not looking at large redevelopment parcels, does it make sense to narrow the district back from south of the tracks to North Street?

Ms. Yarnevich asked aren't they all grandfathered in anyway?

Mr. Andrew stated well what's there is grandfathered in but if let's say somebody had a house or they had a small contractor's office and they tore it down and they were going to build something back, before they could build

that back they would have to come before the Planning Commission and have a site plan approved. We have these various architectural and landscaping requirements there that are really designed for the visibility from Ohio Street and they're probably not really applicable to those areas. So we in looking at it again, we thought well the real focus is on the redevelopment or reuse of what occurs right on the Ohio Street frontage. Those are the two choices is that you, everything that's there is grandfathered in, the question is whether they do an addition or they do a tear-down and a build back, do we want to make them subject to all these larger lot sizes, frontages, setbacks which are really designed for development that fronts on Ohio.

Mr. Mikesell stated I think all of our conversation has been focused on new development up there, you know when we were talking about the 1,320 feet.

Mr. Andrew stated I think we're still, because the property north of the overpass is going to develop in larger increments and the quarter of a mile matches up with the city limits on either side of Ohio up by I-70, but when we looked at it again it was really our intent to focus the quarter mile up north and maybe not so much south. But before we threw that out as an alternative, we thought we would get input from you as to whether that makes sense.

Ms. Bonilla-Baker asked my question is if we decide to go up, can we later on decide to change and go back to where we started with?

Mr. Andrew stated yes. I mean if somebody came in with a redevelopment proposal or something, you know we have, down here you have, this is Crown Distributing, this is Casey's down here, this is kind of vacant, that's the old Harley Davidson place and some others here. This is all zoned commercial or industrial starting right here. A lot of this is zoned residential so it would probably just make a lot of sense to extend that over there and then over on the north. This area has a lot of existing businesses and smaller lots that aren't really going to be tied in with Ohio Street. We could keep it like this and then write special provisions so that we didn't restrict people in those neighborhoods, or we could just adjust the map and tighten it up south of the overpass to just take in the lots that have actual frontage on Ohio Street.

Ms. Bonilla-Baker asked what are the people around that area saying? Have you gotten comments, or do they know what's going on?

Mr. Andrew stated I haven't got much feedback from landowners about this, certainly I don't think the people on Woodland, Prospect, and VanHorne would expect that they would be part of this overlay district. I think that was somewhat of a, or would be a surprise to them that they would be seen as

impacting Ohio or what their relationship is to Ohio Street back that far. We were so focused on the vacant future development land that we didn't look at that closely enough south of the overpass to see what that impact would be.

Ms. Yarnevich asked how far south does that go?

Mr. Andrew stated just to North Street. What we're looking at is taking this line and bringing it in like this, coming down this would take in Crown Distributors and I think this line here and then over here would be about like that, then the rest would stay the same.

Ms. Bonilla-Baker asked do you know how much money that you're talking about if we decide just to leave it out, that we're going to be saving? Does that make sense?

Mr. Andrew stated well it's not so much a dollars and cents thing as it is to not have this apply to people in those neighborhoods off to the east there that don't really impact, their project is not really going to impact Ohio Street, and some of those are residential.

Ms. Soderberg stated it seems to me that depends a little bit on, if we see this as an area of transition whether with the overpass and how quickly we see these residential areas, we're already seeing that in that neighborhood

anyway, but is there such a thing as narrowing it down but yet having a different color or something called an area of interest or I don't know, it just seems like we need to continue to consider the impact that it could have in the next few years from the project as that land changes, you know I don't know. I guess it's conceivable that somebody could come in and buy up large parcels and convert some of those into, I don't know.

Mr. Andrew stated I think it is possible, but like was mentioned, if something like that is proposed you can always stop and say well maybe we need to go back and widen it. It's just I think right now with what we're dealing with, the aim is primarily the redevelopment of lots that have frontage on or impact Ohio, and when we looked at it we said well it wasn't really our intent to have, the guy that wants to build a plumbing shop on Woodland bring their plans to the Planning Commission and require paved parking and landscaping and all that for somebody on a gravel street. So when that question was posed we looked at well you can write things that exempt or grandfather those types of things in. The other approach is to just not put those areas into the overlay at this time.

Mr. Funk asked did you say that's all residential east of that line you just proposed?

Mr. Andrew stated well it's your classic mixed-use neighborhood. We have plumbing shops next to homes, we have three residential lots next to an I-2 lot, but the fact of the matter is there are a number of residences and residential lots and the overlay wasn't really designed to address somebody building or adding onto a home.

Ms. Yarnevich asked if it isn't difficult to go back and say wait a minute, we want the overlay, if you're going to develop this area we want the overlay to go back to those dimensions then I wouldn't have any objection to it, but if it's going to be difficult to go back to that, that would be more of a problem to me.

Mr. Andrew stated I think it would be more difficult to write a set of regulations in the overlay that would allow them some flexibility to do what they wanted to do then it would be to change the boundary on the map, that's a fairly easy step. If somebody went in there and bought 20 lots and was going to clear them all to redevelop it for some large project, I think you'd want to make that part of the overlay, but otherwise I'm not sure we would. Since the recommendation for the map and the ordinance came out of the Planning Commission, I didn't want to suggest that to the City Commission without seeing how you felt about it also. If there's a consensus that adjusting the map is the way to go, I think that's what we'll propose.

Mr. Simpson stated sounds good. Any other items?

Mr. Andrew stated we have a regularly scheduled meeting for the 2<sup>nd</sup> of January. There are no items scheduled and that meeting will not be held. We do have an item scheduled for the 16<sup>th</sup> of January so we will have that meeting.

Mr. Simpson stated alright if there are no other items, Merry Christmas, we are adjourned!

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Dean Andrew, Secretary

ATTEST: \_\_\_\_\_